

Introduced by Senator Anderson

February 21, 2014

An act to add Section 6363.9 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1367, as introduced, Anderson. Sales and use taxes: exemption: public safety first responder vehicle: equipment.

Existing sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. That law provides various exemptions from those taxes.

This bill would exempt from those taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, any public safety first responder vehicle and any equipment required on those vehicles purchased by a local public agency.

The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose local sales and use taxes in conformity with the Sales and Use Tax Law, and existing law authorizes districts, as specified, to impose transactions and use taxes in accordance with the Transactions and Use Tax Law, which conforms to the Sales and Use Tax Law. Amendments to state sales and use taxes are incorporated into these laws.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse any local agencies for sales and use tax revenues lost by them pursuant to this bill.

This bill would take effect immediately as a tax levy, but its operative date would depend on its effective date.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6363.9 is added to the Revenue and
2 Taxation Code, to read:
3 6363.9. (a) There are exempted from the taxes imposed by
4 this part, the gross receipts from the sale in this state of, and the
5 storage, use, or other consumption in this state of, any public safety
6 first responder vehicle and any equipment required on those
7 vehicles purchased by a local public agency.
8 (b) “Local public agency” means any city, county, municipal
9 corporation, district, or public authority located within this state
10 which provides or may provide first responder emergency services.
11 SEC. 2. Notwithstanding Section 2230 of the Revenue and
12 Taxation Code, no appropriation is made by this act and the state
13 shall not reimburse any local agency for any sales and use tax
14 revenues lost by it under this act.
15 SEC. 3. This act provides for a tax levy within the meaning of
16 Article IV of the Constitution and shall go into immediate effect.
17 However, the provisions of this act shall become operative on the
18 first day of the first calendar quarter commencing more than 90
19 days after the effective date of this act.